Promoting the wise use of land

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
July 18, 2014 LOCAL EFFECTIVE DATE August 1, 2014 APPROX FINAL EFFECTIVE DATE August 22, 2014	Brandi Cummings, Project Manager (805) 781-1006	Paso Robles Beach Water Association / AT&T	DRC2013-00078

SUBJECT

Hearing to consider a request by **PASO ROBLES BEACH WATER ASSOCIATION & AT&T** for a Minor Use Permit/Coastal Development Permit to allow for modifications to an existing unmanned wireless communications facility consisting of: removal of three (3) existing 59" OMNI antennas and installation of six (6) new 72.5" LTE panel antennas concealed within two (2) 27" x 90" radomes and six (6) new RRUs mounted on an existing 34' tall water tank, and one (1) new equipment rack within an existing equipment shelter. The proposed project would be collocated at an existing wireless communications facility, and would result in minimal disturbance on a 4,300 square-foot parcel in the Residential Single Family land use category. The project site is located at 955 Park Avenue in the community of Cayucos, approximately 25 feet north of Park Ave. The site is within the Estero planning area.

RECOMMENDED ACTION

Approve Minor Use Permit/Coastal Development Permit DRC2013-00078 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.

ENVIRONMENTAL DETERMINATION

A Class 3 Categorical Exemption (ED13-250) was issued on June 4, 2014

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT
Residential Single Family	Geologic Study Area, Local Coastal Program	064-081-051	2

PLANNING AREA STANDARDS:

Setbacks

Does the project meet applicable Planning Area Standards: Yes

LAND USE ORDINANCE STANDARDS:

Local Coastal Program, Communications Facilities, Geologic Study Area

Does the project conform to the Land Use Ordinance Standards: Yes - see discussion

FINAL ACTION

This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.

EXISTING USES: Water tank for Paso Robles Beach Water Association, AT&T (formerly Cellular One) wireless communications facility	
SURROUNDING LAND USE CATEGORIES AND USES: *North:* Agriculture/ Highway 1 right-of-way *South:* Residential Single Family / single family residences *East:* Agriculture/ Highway 1 right-of-way *West:* Residential Single Family / single family residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: County Public Works, Environmental Health, Cayucos Citizens Advisory Council, Cayucos Fire, and the California Coastal Commission	
TOPOGRAPHY: Relatively level to moderately sloping	VEGETATION: Pine trees
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Cayucos Fire	ACCEPTANCE DATE: April 8, 2014

DISCUSSION

BACKGROUND:

The project site is approximately 4,300 square feet and is located at 955 Park Ave in Cayucos. It is developed with an existing 34' tall water tank owned by the Paso Robles Beach Water Association. The site is surrounded by residential uses to the north, south, and west, and Highway 1 to the east.

The water tank supports an existing AT&T (formerly CellularOne) wireless communications facility (approved under Minor Use Permit D010275P) consisting of three (3) OMNI "whip" antennas, one (1) cylinder antenna, and one (1) cable tray on the top of the existing water tank, and ground mounted equipment within an equipment shelter.

A separate water tank on the adjacent parcel to the east supports a MetroPCS wireless communications facility consisting of three (3) 28" tall panel antennas concealed within an 8' tall radome cylinder on the top of the water tank and ground-mounted equipment. The radome is designed to appear as a ventilation pipe associated with the water tank. The proposed AT&T modification is modeled after this design.

PROPOSED PROJECT:

The proposed modifications would be collocated on the existing water tank owned by the Paso Robles Beach Water Association.

The proposed AT&T facility modifications consist of the following improvements:

- Removal of three (3) 59" OMNI "whip" antennas;
- Installation of six (6) new 72.5" LTE antennas concealed within two (2) 27" x 90" radomes and six (6) new RRUs mounted on an existing 34' tall water tank;
- Installation of one (1) new equipment rack within an existing equipment shelter;
- The site would be accessed from Park Avenue and an existing paved driveway. No access road improvements are proposed.

Visual Assessment and Proposed Screening

The primary issue associated with the proposed project is its potential visibility from Highway 1. This section of Highway 1 is both a designated State Scenic Highway and an All-American Road in the National Scenic Byway system. Both of these designations indicate a high degree of scenic quality within the highway's view corridor.

According to the Coastal Zone Land Use Ordinance (CZLUO), wireless communications facilities shall either be completely screened by natural vegetation and landscaping or disguised to resemble architecture or other features determined to blend with the surrounding area. In addition, the County's Coastal Plan policies (implemented as standards) require new development to be sited and designed to preserve scenic vistas and protect views to and along the ocean and scenic coastal areas.

The applicant submitted photo-simulations of the proposed modifications. Based on these photo-simulations, the proposed radomes would appear as structural elements of the existing water tank and would be partially back-dropped by the existing pine trees located around the tank. This design is consistent with the previously approved MetroPCS communications facility on the adjacent tank, as the proposed radomes will resemble architectural elements of the existing water tanks and will be painted to match.

LAND USE ORDINANCE STANDARDS:

Section 23.07.120 – Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

Section 23.08.284 – Communications Facilities

This Section of the Coastal Zone Land Use Ordinance contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As conditioned, the proposed project meets these requirements:

Permit Requirements

23.08.284(b)(1) requires Minor Use Permit approval for proposed wireless communications facilities that are either a) installed on existing structures, or b) co-located at existing communications facility sites. Development Plan approval is required for all other communications facilities.

This project may be approved by a Minor Use Permit because the proposed modifications would be collocated on an existing water tank where communications facilities currently exist.

Application Content

Section 23.08.284(b)(2)(i) requires applications for communications facilities to include information on the proposed rights-of-way, including width, ownership, present land use, slope, soils and vegetation, types of sizes of towers or other structures to be used, proposed screening or other method of finishing so as to be unobtrusive to the neighborhood in which it is located.

The project complies with this standard because the proposed plans describe the topography and vegetation of the site and show the location of the existing AT&T facility. The application also describes present ownership and land uses. The applicant is proposing to screen the proposed antennas by concealing them within radomes that will be painted to match the existing water tank. Additionally, the proposed radomes would be back-dropped by existing pine trees located around the tank.

Section 23.08.284(b)(2)(ii) requires applications for communications facilities to provide estimates of non-ionizing radiation generated and/or received by the facility. These shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site and the extent that measurable fields extend in all directions from the facility.

The project complies with this standard because the applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (EBI Consulting; January 28, 2014), the maximum cumulative RF emissions from the proposed facility combined with the existing AT&T facility would be equivalent to ***36.10 percent*** *of the FCC standard. The report recommends the following measures to reduce potential hazards associated with radiation from the facility:*

- *Green INFO and yellow CAUTION signs should be posted on or next to the access ladder to the top of the water tank, and on the Sector A and B barrier.*
- *Barriers should be installed on the water tank rooftop, 4 feet in front of the water tank rooftop access ladder, extending the entire width of the tank.*

According to Section 23.08.284(b)(2)(iii), if collocation is not proposed, the applicant shall provide information pertaining to the feasibility of joint-use antenna facilities, and discuss the reasons why such joint use is not a viable option or alternative to a new facility. This must evaluate all potential sites where the location and height meet the minimum coverage requirements for the applicant's network; a lease with the property owner can be obtained; and the property is feasible for the construction of a wireless facility.

This standard does not apply because the proposed modifications are located on a site with an existing communications facility.

Development Standards

According to Section 23.08.284(b)(3)(ii), applicants shall pursue placement of facilities on existing structures before proposing facilities at new locations. The intermediate preference for the location of new facilities is atop existing structures with appropriate visual/architectural

screening to be completely hidden from public view. The top choice is side-mount antenna on existing structures when integrated into the existing structure, completely hidden from public view or painted and blended to match existing structures. The last preference is new locations. *The proposed project is consistent with this standard because the proposed antennas would be architecturally consistent with and painted to match the existing tank, and it would not require the construction of a new antenna support structure. The proposed RRUs will be side mounted and painted to match the existing tank.*

According to Section 23.08.284(b)(3)(iv), site location and development of wireless communications facilities shall preserve the visual character and aesthetic values of the specific parcel and surrounding land uses and shall not significantly impact public views.

This standard does not apply because the proposed modifications are on an existing wireless communications facility located on an existing water tank.

According to Section 23.08.284(b)(3)(vi), all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

The project complies with this standard because the proposed antennas would be concealed within radome cylinders and would be consistent with the previously approved MetroPCS telecommunications facility design on the adjacent tank (DRC2008-00062), as the proposed radomes will resemble architectural elements of the existing water tank and will be painted to match. Additionally, the proposed antenna radomes would be back-dropped by existing pine trees located around the water tank. Although these trees do not entirely backdrop or screen the radomes, they significantly reduce the project's visual impacts because, as tall vertical landscape elements, they deemphasize the radomes and diminish their noticeability.

Section 23.07.080 – Geologic Study Area Combing Designation

The Geologic Study Area (GSA) combining designation is applied to areas where geologic and soil conditions could present new development and their users with potential hazards to life and property. This section requires all proposed development within a GSA to provide a report prepared by a certified engineering geologist or registered civil engineer, as appropriate. The report must identify, describe and illustrate, where applicable, potential hazard of surface rupture, seismic shaking, liquefaction, or landslide.

The proposed project is located within a mapped Geologic Study Area. This designation is applied to areas where geologic and soil conditions could present new development and their users within potential hazards to life and property. The proposed project is consistent with these LCP policies because it would add communications equipment to an existing water tank and does not involve new site disturbance. The geotechnical report (SALEM Engineering Group, Inc; January 13, 2010) submitted for the adjacent MetroPCS project (DRC2008-00062) concluded that the site is generally suitable for the proposed communications facility.

COASTAL PLAN POLICIES:

The following describes the project's compliance with applicable Local Coastal Plan (LCP) policies:

Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources – This policy states that unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitat are to be preserved protected, and in visually degraded areas restored where feasible.

Policy 2: Site Selection for New Development – This policy requires new development to be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development should emphasize locations not visible from major public view corridors.

The proposed modifications are located adjacent to the Highway 1 right-of-way on the coastal side. This section of Highway 1 is both a designated State Scenic Highway and an All-American Road in the National Scenic Byway system. To determine the project's visual impacts and its conformance with applicable visual and scenic resource polices and standards, the applicant submitted photo simulations of proposed antenna radomes. Although the proposed antennas would be visible from Highway 1 and silhouette against the sky from certain viewing angles, they would be obscured from view by the existing pine trees on the site and would not be distinguishable as a communications facility since the antennas are concealed within radomes that blends with the design of the existing water tank and the tank on the neighboring water tank.

Hazards

Policy 1: New Development - This policy requires all new development proposed within areas subject to natural hazards from geologic or flood conditions (including beach erosion) to be located and designed to minimize risks to human life and property.

Policy 3: Development Review in Hazard Areas - This policy requires a detailed review of development proposed within the geologic study area and flood hazard combining designations as indicated on the Land Use Element maps for the coastal zone. The review shall be performed by a qualified registered civil engineer and/or certified engineering geologist and shall be adequately detailed to provide recommendations and conclusions consistent with this plan.

The proposed project is located within a mapped Geologic Study Area. This designation is applied to areas where geologic and soil conditions could present new development and their users within potential hazards to life and property. The proposed project is consistent with these LCP policies because it would add communications equipment to an existing water tank and does not involve new site disturbance. The geotechnical report (SALEM Engineering Group, Inc; January 13, 2010) submitted for the adjacent MetroPCS project (DRC2008-00062) concluded that the site is generally suitable for the proposed communications facility.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned.

AGENCY REVIEW:

Public Works – No response

County Environmental Health – Project requires hazardous materials business plan

Cayucos Fire – No response

California Coastal Commission – No response

Cayucos Advisory Council – This project was reviewed by the Cayucos Citizens Advisory Council on June 25, 2014. As of the writing of this staff report, no response has been received.

LEGAL LOT STATUS:

The single parcel was legally created by a deed at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Airlin M. Singewald.